

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NEIL GAIMAN, and
MARVELS AND MIRACLES, LLC,

Plaintiffs,

v.

Case No.: 02-CV-00048-bbc

TODD MCFARLANE,
TODD MCFARLANE PRODUCTIONS, INC.,
TMP INTERNATIONAL, INC.,
MCFARLANE WORLDWIDE, INC., and
IMAGE COMICS, INC.,

Defendants.

PLAINTIFF'S NOVEMBER REPORT TO COURT

Pursuant to the Court's March 12, 2010 Opinion and Order, plaintiff Neil Gaiman files this report regarding the status of the accounting of profits due Gaiman from defendants Todd McFarlane and Todd McFarlane Productions, Inc.

On October 29, 2010, the parties submitted to the accountant their proposed schedules of revenues and deductions from revenues for each item that is subject to the accounting and their opening briefs regarding any disagreements about the content of those schedules and how the accountant should treat the derivative characters that were the subject of the Court's July 30, 2010 order.

The parties are now attempting to engage in settlement discussions and have agreed, with the consent of the accountant, that their responses to the October 29, 2010 submissions will be submitted to the accountant on December 17, 2010.

Dated this 30th day of November, 2010.

s/Jeffrey A. Simmons

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Jeffrey A. Simmons, WI Bar No. 1031984

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